

FILED

UNITED STATES COURT OF APPEALS

SEP 12 2008

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

CLAUDIA MORENO, individually, and
on behalf of all persons similarly situated;
et al.,

Plaintiffs - Respondents,

v.

AUTOZONE, INC., a Nevada corporation,

Defendant - Petitioner.

No. 08-80094

D.C. No. 3:05-cv-04432-CRB
Northern District of California,
San Francisco

ORDER

Before: PREGERSON and McKEOWN, Circuit Judges.

The court, in its discretion, denies the petition for permission to appeal the district court's May 30, 2008 order granting class action certification. *See* Fed. R. Civ. P. 23(f); *Chamberlan v. Ford Motor Co.*, 402 F.3d 952 (9th Cir. 2005) (per curiam).

KB/MOATT